

as the existing roofing;

13.4.5.5 Storm doors and storm windows; and

13.4.5.6 Changing or repairing siding, if the replacement siding has the same visual characteristics and dimensions as the existing siding.

13.5 Open Space Developments

13.5.1 Authority - This Section is adopted pursuant to the provisions of RSA 674:21, Innovative Land Use Controls. The Planning Board shall administer the application, review, and approval process for Open Space Developments through the subdivision of land process, including lot line adjustments.

13.5.2 Purpose and Objectives - The purpose of this Section of the Zoning Ordinance is to allow and encourage alternative subdivision designs that preserve Goffstown's rural character and environmentally sensitive elements, while providing housing that is more desirable in its design for the town and for the general public. Open Space Developments shall promote the following objectives:

- (a) Maintain the rural character of the town through the preservation of natural resources and open space;
- (b) Preserve agriculture and farming within the community where possible, achieving a balance between farming, open space and residential growth;
- (c) Encourage the use of land in accordance with its character and adaptability, including view sheds, assuring the permanent preservation of open space, agricultural lands, and other natural resources; allowing innovation and greater flexibility in the design of residential developments while facilitating the coordination of design and use between adjacent properties;
- (d) Encourage a less sprawling form of development, thus preserving Open Space as undeveloped land or for dedicated recreational use;
- (e) Provide adequate setbacks and buffers to minimize any adverse affect of the use of a property on neighboring properties; and
- (f) Promote a natural system of storm water management to minimize erosion and to encourage aquifer recharge.

13.5.3 Location - An open space development may be approved only on land located within the R-1, R-2, Agricultural or Conservation zoning districts and having a Parent Lot of 10 acres or larger.

13.5.3.1 Mandatory Use of the Open Space Development - Any subdivision or other division of land, including lot line adjustments that may create additional developable lots, must use an Open Space Design in the Agricultural and Conservation districts if the Parent Lot size is twenty (20) acres or larger, unless

- (a) The completed subdivision of the Parent Lot will have a total of no more than

- five (5) lots; or
- (b) All lots in the completed subdivision of the Parent Lot will have a minimum of ten (10) acres in size.

13.5.3.2 Optional Open Space Designs - Open Space designs are optional in the R-1 and R-2 Districts, and in Agricultural and Conservation Districts where the Parent Lot is less than 20 acres in size.

13.5.4 Subdivision Approval Required - An Open Space Development shall require Planning Board approval. The application for approval shall comply with the Planning Board's subdivision regulations and the following requirements:

13.5.4.1 Site Analysis - The applicant shall submit a site analysis plan showing the physical features and character of the site and the surrounding area.

13.5.4.2 Density Determination - The applicant shall submit a yield plan showing that the net density will be no greater than permitted within that zoning district for a conventional subdivision or development, unless waived by the Planning Board upon a finding that the proposed number of dwelling units is well within the density requirement.

13.5.5 Flexibility. As an exception to Section 13.1, and to encourage flexibility and creativity consistent with the Open Space Development concept, the Planning Board may waive the requirements of the Zoning Ordinance for frontage, yard, lot size, and density standards, upon a finding that the granting of the waiver will promote the objectives of the Open Space Development and will not adversely affect other properties or the public.

13.5.6 Open Space Requirements. The total area of dedicated open space shall equal a percentage of the total site, as follows:

<u>Base Density (Dwelling Units /Acre)</u>	<u>Open Space Required (% of Buildable Area)</u>
1 or greater	40%
Between 0.5 and 1	45%
0.5 or less	50%

13.5.7 Permanent Restriction of Open Space. Open space land shall not be further subdivided or used other than for recreation, conservation or agricultural purposes, except for easements for utilities, except as approved by the Planning Board.

13.5.8 Definitions.

- (a) **Base Density** - The original maximum density permitted under the property's residential zoning district (dwelling units per acre).
- (b) **Buildable Area** - All of the area of a parcel, except (a) the area of any street right-of-way proposed to be dedicated to the public; (b) any submerged land

area; (c) any portion of the project used for cisterns (may be waived); (d) slopes in excess of 25%; (e) streams, wetlands and Wetland Conservation District areas; and (f) utility rights-of way.

- (c) Open Space - A portion of a development site that is permanently set aside for public or private uses and shall never be developed.
- (d) Open Space Development - A development pattern that arranges the layout of buildings in a compact area of the site so as to preserve and protect, in perpetuity, a portion of the site for recreational or natural open space as an integral part of the overall plan.
- (e) Parent Lot- Any lot, as it existed on March 11, 2003, the date this ordinance went into effect.
- (f) Yield Plan - A plan submitted by the applicant showing a feasible conventional subdivision under the requirements of the specific zoning district in which the property is located and the requirements of any and all State and local subdivision regulations.